

Subject Eligibility for discretionary and mandatory eviction expungements

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Overview

This bill amends when the court can grant a discretionary eviction expungement, and when the court must grant a mandatory eviction expungement. These cases can be brought on the motion of the defendant (tenant) but can also be ordered directly by the court.

Summary

Section	Description
1	<p>Discretionary expungement.</p> <p>Changes the one part of the standard for a court to order an eviction to require that the eviction is no longer a reasonable predictor of future tenant behavior.</p>
2	<p>Mandatory expungement.</p> <p>Adds additional situations where an eviction action could be expunged by the court to include when:</p> <ul style="list-style-type: none">▪ the tenant prevails on the merits of the case;▪ the court dismisses the landlord's complaint for any reason;▪ the parties have agreed to an expungement;▪ when the eviction was ordered three years prior to the date the expungement was filed; or▪ if the case settles and the defendant fulfills the terms of the settlement.
3	<p>Nonpublic record.</p> <p>This section requires the courts to keep eviction case filings confidential until after the case has been decided.</p>



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